



Case No. CULLN23.001APC
Date: August 24, 2005
AFJ
JFW

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

In re application of : Manners et al.
App. No. : 09/331,631
For : ANTIMICROBIAL PROTEINS
Filed : June 21, 1999
Examiner : Hope A. Robinson
Group Art Unit : 1656

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Board of Patent Appeals and Interferences, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on

August 24, 2005

(Date)

Raymond D. Smith, Reg. No. 55,634

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Board of Patent Appeals and Interferences
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Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated February 25, 2005 of the Primary Examiner finally rejecting Claims 1, 2, 11, 12, 17, 18, 20, 21, 34, 46, 48, 50, 51, 53 and objecting to Claims 44 and 45. The item(s) marked below are appropriate:

- (X) A 3rd month extension of time to respond to the final rejection is hereby requested. The amount paid below reflects the difference between the second and third month, as a two-month extension of time was paid in the Amendment filed July 25, 2005.
- (X) Filing Fee: \$500 (large entity)
- (X) Time Extension Fee: \$570 (difference between third month (\$1,020) and second month (\$450))
- (X) Enclosed is a check in the amount of \$1,070.
- (X) Return prepaid postcard.
- (X) Please charge any additional fees or credit overpayment to Deposit Account No. 11-1410.

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